

REMARKS

Claims 1-12 have been examined. Claims 1-6 have been rejected under 35 U.S.C. § 102(b), and claims 7-12 have been rejected under 35 U.S.C. § 103(a).

I. Preliminary Matters

The Examiner has objected to the Abstract. Accordingly, Applicant has amended the Abstract in a manner believed to overcome the objection.

Also, the Examiner has objected to the specification due to informalities. Accordingly, Applicant has amended the specification in a manner believed to overcome the objection. Applicant has further amended the specification in regard to translational errors. For example, the term “liable” has been amended to recite “likely.” Applicant submits that no new matter has been added.

II. Rejections under 35 U.S.C. § 102(b) in view of U.S. Patent No. 5,291,414 to Tamai et al. (“Tamai”)

The Examiner has rejected claims 1-6 under 35 U.S.C. § 102(b) as allegedly being anticipated by Tamai.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites that when a route is searched, the route guidance information which pertains to the

searched route is changed to reflect a previously determined route deviated position when the searched route was last traveled. Such change is reflected before the route guidance information is output for use. Accordingly, a previous deviation from the searched route can be avoided when the searched route is again traveled (i.e., so that the user or vehicle does not make the same mistake twice).

On the other hand, Tamai is aimed at correcting a deviation from a searched route while a user is actually traveling the route. The search route information initially obtained by the user is not based on any previous deviations the user made when the same route was previously traveled. For example, Tamai discloses that when a vehicle has deviated from an optimal route, a navigation system selects a new starting point based on where the vehicle is positioned, and computes a new optimal route from the new starting point (Abstract; col. 4, lines 15-30).

Tamai fails to teach or suggest that when the navigation system calculates the original optimal route, any previous deviations on that optimal route are taken into consideration, such that the optimal route will be changed, prior to issuing the instructions, to avoid the portion of the route where the vehicle previously deviated. Rather, all deviations are acknowledged and dealt with as they occur. The reference is not aimed at avoiding previous errors when again traveling the same route.

Based on the foregoing, Applicant submits that claim 1 is patentable over the cited reference and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claims 2-6

Since claims 2-4 and 6 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency. In addition, since claim 5 has been canceled, without prejudice or disclaimer, Applicant submits that the rejection of such claim is now moot.

III. Rejections under 35 U.S.C. § 103(a) in view of Tamai and U.S. Patent No. 6,594,580 to Tada et al. ("Tada")

The Examiner has rejected claims 7-9 and 11-12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tamai in view of Tada. However, since claims 7-9 and 11-12 are dependent upon claim 1, and Tada fails to cure the deficient teachings of Tamai in regard to claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

IV. Rejection under 35 U.S.C. § 103(a) in view of Tamai and U.S. Patent No. 6,847,885 to Sato et al. ("Sato")

The Examiner has rejected claim 10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tamai in view of Sato. However, since claim 10 is dependent upon claim 1, and Sato fails to cure the deficient teachings of Tamai in regard to claim 1, Applicant submits that claim 10 is patentable at least by virtue of its dependency.

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/814,152

V. Newly Added Claim

Applicant has added claim 13 to provide more varied protection for the present invention.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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